



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Harwell et al.) Group Art Unit:
)
 Serial No. 09/775,045) Examiner:
)
 Filed: February 1, 2001) Atty. Docket No. 1916.ADH
)

For: SCENTED HOT MELT ADHESIVE

Petition to Revive an Abandoned Application

Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is responsive to the Notice of Abandonment mailed September 4, 2002 (copy attached). The Notice states that the subject application has been abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed on March 14, 2001.

Applicants submit that a timely response to the Notice to File Missing Parts was filed on April 5, 2001 and respectfully request that the Abandonment be withdrawn.

The subject application was filed February 1, 2001. Since two of the three inventors reside outside of the United States, the application was filed without an executed declaration. A Notice to File missing parts, mailed March 14, 2001, was subsequently received. The Notice set a two (2) month period for response (i.e. May 14, 2001).

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TECHNOLOGY CENTER R3700

On April 3, 2001, a properly executed declaration was mailed. Applicants response to the Notice to File Missing parts included: (1) a transmittal form carrying a certificate of mailing, (2) a fee transmittal form, (3) a response to the notice to file missing parts, (4) a copy of the notice to file missing parts, (5) the executed declaration and (6) a return receipt postcard. A copy of each of these documents is attached. On the address side of the post card is a stamp indicating a receipt date of April 5, 2001.

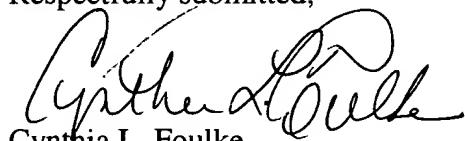
Concurrently mailed under separate cover was the assignment document (mailed April 3, 2001 with the requisite cover sheet and with a return receipt post card). Attached is a copy of the post card also showing receipt date of April 5, 2201.

Applicants submit that a timely response was filed and request that the Notice of Abandonment be withdrawn that the application be reinstated to active status and that an action on the merits be expedited.

The Commissioner is authorized to charge any fee required for the filing of this petition to deposit account No. 14-0455. Since, however, the abandonment of the subject appears to be due to an error on the part of the U.S. Patent and Trademark Office, refund of any fee so charged is requested.

Early and favorable action is solicited.

Respectfully submitted,



Cynthia L. Foulke
Reg. No. 32,364

September 27, 2002

National Starch and Chemical Company
P.O. Box 6500
Bridgewater, New Jersey 08807-0500
(908) 685-7483



Patent #1916.ADH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HARWELL, et. al.

Serial No. 09/775,045

Group Art Unit:

Filed: 02/01/01

Examiner:

For: **SCENTED HOT MELT ADHESIVES**

RESPONSE TO NOTICE TO FILE MISSING PARTS

ATTN: BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

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OCT 22 2002
TECHNOLOGY CENTER R3700

SIR:

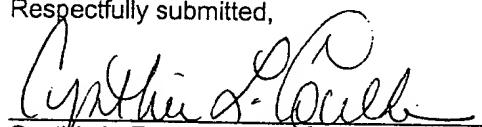
This is in response to the "Notice To File Missing Parts of Application -- Filing Date Granted" mailed **March 14, 2001**, which set a two month period for response. A copy of the Notice is attached.

Submitted herewith is a fully-executed Declaration.

The Commissioner is authorized to charge the basic filing fee (\$710.00) and required surcharge (\$130.00) to Deposit Account No. 14-0455.

A fee transmittal form is attached.

Respectfully submitted,


Cynthia L. Foulke, Reg. No. 32,364
Attorney for Applicants
Tel. No. 908-685-7483

National Starch and Chemical Company
P.O. Box 6500
Bridgewater, New Jersey 08807-0500
April 3, 2001

#41182



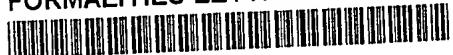
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/775,045	02/01/2001	Michael Harwell	1916. ADH

CONFIRMATION NO. 3155

FORMALITIES LETTER



OC00000005859943

Cynthia L. Foulke
 Intellectual Property
 NATIONAL STARCH AND CHEMICAL COMPANY
 P.O. Box 6500
 Bridgewater, NJ 08807-0500

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TECHNOLOGY CENTER R3700

Date Mailed: 03/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

A copy of this notice MUST be returned with the reply.

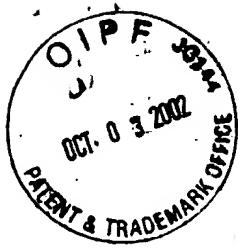
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/22/2003 TSTOKES 00000001 09775045

01 FC:1001	710.00 DA
02 FC:1051	130.00 DA



CLF

RECEI

OCT 22 2002

TECHNOLOGY CENTER RG

DOCKET NO. 1916.ADH

FILING A MISSING PARTS APPLICATION

Please DATE and RETURN acknowledging receipt of:

In re Application of: Harwell, et. al.

Filed: 02/01/01

Serial No. 09/775,045

For: SCENTED HOT MELT ADHESIVES

Enclosed are:

Assignment Recordation Cover Sheet

Assignment

National Starch and Chemical Company - Patent Department
4/03/01

840⁰⁰

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OCT 07 2002

OFFICE OF PETITIONS

DOCKET NO. 1916.ADH

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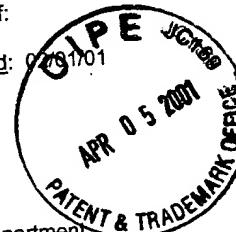
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Enclosed are:

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Assignment

National Starch and Chemical Company - Patent Department
4/03/01





Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/775,045
		Filing Date	02/01/01
		First Named Inventor	Harwell, et. al.
		Group Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission	7	Attorney Docket Number	1916.ADH

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard Receipt Copy of Notice to File Missing Parts
<input type="checkbox"/> Remarks		RECEIVED OCT 22 2002 TECHNOLOGY CENTER

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Cynthia L. Foulke	
Signature		
Date	04/03/01	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name	Deborah J. Mouzon	Date	04/03/01
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Done 5-22-03

Charge
1001-710
1001-130

Approved for use through 10/31/2002. GPO:066-2002
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (S) 840.00

Complete if Known

Application Number	09/775,045
Filing Date	02/01/01
First Named Inventor	Harwell, et. al.
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No:	1916.ADH

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																																			
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 14-0455</p> <p>Deposit Account Name</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>130.00</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,340*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>350</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>129</td> <td>1,390</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,240</td> <td>242</td> <td>520</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>140</td> <td>243</td> <td>220</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>500</td> <td>244</td> <td>300</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>125</td> <td>120</td> <td>125</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>710</td> <td>246</td> <td>355</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>710</td> <td>249</td> <td>355</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>710</td> <td>279</td> <td>355</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="2">RECEIVED OCT 22 2002 TECHNOLOGY CENTER R3700</td> </tr> <tr> <td colspan="4">*For number previously paid, if greater. For Reissues, see above</td> <td colspan="2">SUBTOTAL (3) (S) 130.00</td> </tr> <tr> <td colspan="6">Reduced by Basic Filing Fee Paid</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,340*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	350	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		129	1,390	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	520	Utility issue fee (or reissue)		143	140	243	220	Design issue fee		144	500	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		125	120	125	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____				RECEIVED OCT 22 2002 TECHNOLOGY CENTER R3700		*For number previously paid, if greater. 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Name: <i>Cynthia L. Foulke</i>	Registration No. Assignee/Agent	32,364	Telephone	908-685-7483																																																																																																																																																																																																	
Signature: <i>Cynthia L. Foulke</i>	Date	04/03/01																																																																																																																																																																																																			

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



DOCKET NO. 1916.ADH

FILING A MISSING PARTS APPLICATION

Please DATE and RETURN acknowledging receipt of:

In re Application of: Harwell, et. al.

Serial No. 09/775,045

For: SCENTED HOT MELT ADHESIVES

Enclosed are: Transmittal Form

Fee Transmittal for FY 2001 (duplicate)

Copy of Notice to File Missing Parts (PTO-1533)

Response Transmittal (PTO/SB/21)

Declaration of Application

National Starch and Chemical Company - Patent Department

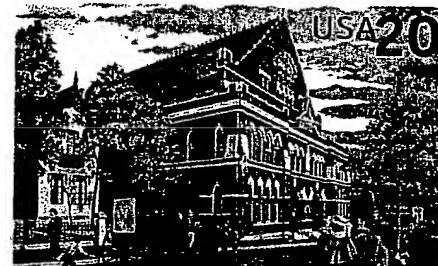
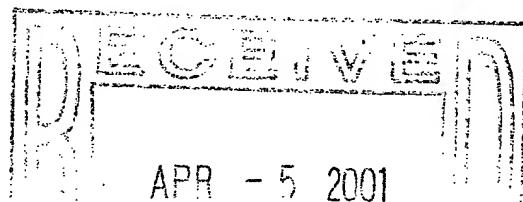
4/03 /01

Filed: 02/01/01

RECEIVED

OCT 22 2002

TECHNOLOGY CENTER R370



Ryman Auditorium, Nashville, Tennessee

National Starch and Chemical Company
P.O. Box 6500
Bridgewater, NJ 08807
Attn: PATENT DEPARTMENT

recycled





DAC

Please type a plus sign (+) inside this box →

PTO/SB/21 (6-98)
Approved for use through 09/30/2000, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/775,045
		Filing Date	February 1, 2001
		First Named Inventor	Harwell
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	1916-ADH

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Petition to Revive an Abandoned Application
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	Copy of Notice of Abandonment
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	Copy of Postcard Receipt by USPTO
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	Copy of Documents sent on April 3, 2001
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Copy of Executed Declaration

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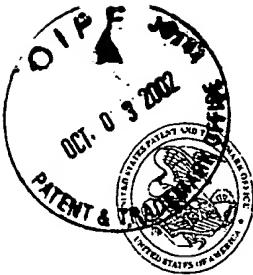
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Cynthia L. Foulke National Starch and Chemical Company
Signature	
Date	9-27-02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name	Alana Fredericks	
Signature		Date
	9/27/02	

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/775,045	02/01/2001	Michael Harwell	1916. ADH

Cynthia L. Foulke
 Intellectual Property
 NATIONAL STARCH AND CHEMICAL COMPANY
 P.O. Box 6500
 Bridgewater, NJ 08807-0500

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CONFIRMATION NO. 3155
 ABANDONMENT/TERMINATION
 LETTER
 OC000000008726967
 -OC000000008726967*

Date Mailed: 09/04/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/14/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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